

# CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

## GOVERNANCE POLICIES

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CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>PURPOSE OF BOARD</b>
	Policy Number: <b>GP-1</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Review Date: October 16, 2007 December 11, 2007	Resolution No. 2007-215 2007-243

Under statute, the California Integrated Waste Management Board is governed by a Board, which operates under the applicable statutes and laws of the state of California and all other applicable statutes and laws.

The purpose of the Board is to:

- a) Consistent with the goals of the Administration and the goals of the Legislature as passed into law, identify and define the purpose, values and vision of the CIWMB, along with the results that the CIWMB is to achieve, and communicate them in the form of policy.
- b) Identify and define those results or conditions of the CIWMB that are acceptable and not acceptable and communicate them in the form of policy.
- c) Monitor the organization's performance against the results that the Board has defined for the CIWMB.
- d) Make certain other operational decisions as are designated by law.
- e) Hire, evaluate and, when necessary, discharge the Executive Director and the Chief Counsel.

**Monitoring Method: Board Report**  
**Frequency: Annual**

<b>CIWMB BOARD POLICY</b>	
Category: <b>Governance Process</b>	Title: <b>GOVERNANCE FOCUS</b>
	Policy Number: <b>GP-2</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
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The Board will govern with an emphasis on: (i) strategic leadership; (ii) a focus on results and outcomes; (iii) encouragement of diversity in viewpoints; (iv); clear distinction of Board and Executive Director roles; (v) collaborative rather than individual decisions; and (vi) proactivity rather than reactivity.

Specifically:

- a) The Board will cultivate a sense of group responsibility. The Board will be responsible for excellence in governing. The Board will use the expertise of individual members to enhance the ability of the Board as a body.
- b) The Board will direct, evaluate and inspire the organization through the careful establishment of written policies. The Board's major policy focus will be on defining the results that the CIWMB is to achieve.
- c) The Board will establish and adhere to the standards needed to govern with excellence. Standards will apply to matters such as attendance, preparation for meetings, policymaking principles, courtesy, and ensuring the continuance of governance capability.
- d) Continual development of the Board will include orientation of new members in the Board's governance policies and processes, periodic re-orientation of existing members, and regular discussion of process improvement.
- e) The Board will regularly discuss and evaluate its performance. Self-monitoring will include comparison of Board activities and discipline to the policies adopted by the Board. It will be up to the chair of the Board to determine the appropriate manner of this feedback and evaluation.

**Monitoring Method: Board Report**  
**Frequency: Semi-Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>BOARD JOB DESCRIPTION</b>
	Policy Number: <b>GP-3</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
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The Board's job is to ensure the appropriate performance by the CIWMB.

Specifically, the Board shall:

- a) Produce and maintain written policies that ensure high quality of governance and clear roles in decision-making between the Board and staff.
- b) Develop and use outreach mechanisms to ensure the Board hears the strategic viewpoints and values of the Administration, the Legislature, local governments and jurisdictions, stakeholders, and other interested parties, as well as to ensure that those stakeholders hear the points of view and values of the Board.
- c) Define the results that the CIWMB is supposed to achieve in the form of strategic directive policies.
- d) Ensure that the CIWMB's strategic directives are aligned with statutory mandates and executive orders.
- e) Review the performance of the organization in achieving its strategic directive policies at least annually.
- f) Regularly monitor and evaluate the performance of the Executive Director and Chief Counsel.
- g) Set the rates, rules and regulations for the CIWMB.
- h) Take other such actions as may be required by law.

**Monitoring Method: Board Report**  
**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>BOARD'S WORK PLAN</b>
	Policy Number: <b>GP-4</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
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To accomplish its purpose and focus, the Board will develop and follow an annual work plan that ensures that it (a) focuses on the results the Board wants the organization to achieve, (b) defines the conditions of the CIWMB that it considers acceptable and unacceptable; c) meets its other obligations as stated by law or policy; and (d) continually improves its performance through education, feedback, and deliberation.

Specifically:

- a) The Board will agree in advance on the topics and issues that it wishes to explore and create an annual work plan to guide it in preparing the agendas for regular meetings of the Board and committee meetings.
- b) The Chair of the Board will direct the development of the annual work plan and will ensure that the Board agendas meet the goals of the annual work plan.

**Monitoring Method: Board Report**  
**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>MEETING PROCEDURES</b>
	Policy Number: <b>GP-5</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
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To conduct its business effectively and efficiently, the Board shall follow certain procedures in both Board meetings and in committee meetings.

Specifically:

I. Quorum:

- a) For meetings of the Board, four members of the Board shall at all times constitute a quorum.

II. Preparation for Meetings of the Board:

- a) Agenda items shall only be placed on the Board's agenda at the request of 1) a committee of the Board, 2) a member of the Board, or 3) CIWMB staff, with the approval of the Executive Director. Members of the general public wishing to place items on the agenda must go through one of the above.
- b) Before agenda and meeting packets are finalized, they shall be reviewed by the Chair of the Board, the Executive Director, and Chief Counsel.
- c) The Chair of the Board and the Executive Director shall work together in developing the Board agendas and determining when an item is placed on the agenda.
- d) The preparation of individual agenda items shall be the responsibility of the person submitting the items. Agenda items should follow the format shown on the BAWDS Boardnet page.

III. Management of Action Items:

- a) As a general practice, all Board action items shall first be reviewed by the appropriate committee. However, if the Chair believes that an item would be best heard directly by the Board, and the committee chair consents, the matter may be placed on the Board agenda without prior review by the appropriate committee.
- b) If the appropriate committee is not clearly ascertainable by the nature of the item, the Chair shall decide assignments, or shall determine that the full Board shall consider the item, and

notify the members of the Board as appropriate. If there is no appropriate committee, the matter may be placed on the Board agenda without prior review by a committee.

- c) All consideration items brought to a committee for action shall be placed on the agenda of a regularly scheduled Board meeting, regardless of the committee's decision. It may appear as a consent agenda item.

#### IV. Preparation for Committee Meetings:

- a) Agenda items shall be placed on committee agendas at the request of 1) a member of the Board, or 2) CIWMB staff, with the approval of the Executive Director. Members of the general public wishing to place items on the agenda must go through one of the above.
- b) Before committee agenda are finalized, they shall be reviewed by the Chair, the committee chair, the Executive Director, and Chief Counsel.
- c) The committee chair and the Executive Director shall work together in developing the committee agendas and determining when an item is placed on the agenda.
- d) The preparation of individual agenda items shall be the responsibility of the person submitting the items. Agenda items should follow the format shown on the BAWDS Boardnet page.
- e) Public requests for hearing of particular items or participation in committee meetings will be directed to the chair of the committee.
- f) Committee meetings may be held anywhere in California, at the discretion of the committee and with the concurrence of the Chair of the Board.

#### V. Operating Procedures (Board and Committees)

- a) When the appropriate procedure is not set forth in this policy, the Board and the committees will look to Robert's Rules of Order as guidance in determining the appropriate procedure to use in that particular situation. However, the Board does not officially adopt Robert's Rules of Order as its set of operating rules
- b) For all committees, the secretary to the committee chair will record motions and roll call votes.
- c) All committees must have a court reporter in order to provide complete transcripts of actions relating to planning, permitting and enforcement issues.
- d) A transmittal document shall be completed by each committee secretary immediately following each committee meeting and be forwarded to the administrative assistant for the record of the Board. Action items shall be included in a subsequent Board meeting notice agenda.
- e) If an item or resolution is revised as a result of committee discussion or for any other reason prior to Board consideration, a revised version shall be provided to members of the Board and placed on the CIWMB's website, as soon as possible, prior to the meeting of the Board.

#### VI. Consent Items (committee meetings):

- a) At the option of the committee chair, each committee may have a consent agenda for the committee. In order to be placed upon the committee consent agenda, an item must be non-controversial and/or routine of a nature that does not appear to require discussion prior to voting upon it. The administrative assistant shall follow the same procedures for the committee consent agenda that are noted for the Board consent agenda below. Any committee member may pull an item from the committee consent agenda.
- b) At committee meetings, a consent recommendation for the Board should be raised for each non-consent item after voting. If there is a “no” vote on the item, it cannot be recommended as a consent item for the Board agenda.
- c) All items, except fiscal items, are eligible for the consent agenda if they are non controversial or of a routine nature that does not appear to require discussion prior to voting on them.

#### VII. Consent items (Board meetings):

- a) The administrative assistant will prepare the Board consent agenda, place it in a conspicuous location for public review, and have copies available at Board meetings.
- b) The consent agenda shall begin with the following statement: “Consideration of Consent Agenda Items for the Board: The following items have been reviewed and approved by a committee of the Board and considered to be non-controversial. The Board will be asked to approve these items at one time without discussion. At the beginning of the meeting, the Chair of the Board will ask members or other interested parties or staff who wish to address an item on the Consent Agenda to state their names and the items they wish to address for the record. To remove an item from the Consent Agenda, the Chair or an individual member of the Board shall make a determination that the item merits further discussion.”
- c) The Chair of the Board will call for approval or withdrawal of consent items at the beginning of each meeting of the Board.
- d) At the request of the Chair, an individual member, or a member of the public, any consent item shall be pulled off the consent agenda with the earliest possible notice to all parties.
- e) When an item is pulled from consent, and any of the interested parties are not present (such as the applicant, LEA, opponent), as a courtesy, if there is a second day scheduled for the Board meeting, that item shall be heard on the second day so that the parties may be given an opportunity to be present. However, no such delay shall be necessary if the item is pulled in order to clarify or otherwise deal with a technical or nonsubstantive issue related to the item that does not require the presence of the parties.

#### VIII. Types of Items (Board and committees):

Items before the Board or before a committee should be one of the following types:

- **Consideration Items:** Any item that is requesting the Board to make a decision (i.e. approval or disapproval) is a consideration item, and its title should begin with this word. This provides notice that the Board may be making a decision about the noticed topic.

- **Discussion and Request for Direction Items:** These are items that are not seeking a decision, but are seeking direction on how to proceed. The item will typically contain options for next steps, but not options related to final decisions. Titles should begin with the phrase “Discussion Of and Request for Direction” and then specify the topic involved with enough specificity that someone outside the agency would know what topic will be discussed. Items involving regulations should indicate that they are seeking “Rulemaking Direction.”
- **Discussion Items:** These are items which are being presented to provide information, but that are not seeking a decision or direction.
- **Other Discussion Items:** Occasionally, it may be preferable to label a discussion item with a more specific title, such as Presentation, Report or Update.
- **Oral Discussion Items:** Discussion items that will not have a written agenda item should indicate that they will just involve an oral presentation.

#### IX. Pulling Items from the agenda (Board and committees):

- a) An item may be pulled from the agenda prior to discussion in one of the following ways:
  - The Executive Director may pull an item brought forward by staff at any time prior to the meeting when he or she has determined that it is not yet ready for consideration by the Board.
  - The Board may pull an item at the meeting by consensus or by vote, if necessary.
  - Any member of the Board may pull any item once for any reason prior to or at the Board meeting (with the exception of facility permit items).
  - A member of the Board cannot pull an item suggested by another member of the Board.
- b) An item that has been pulled may be brought back to the Board for consideration at a future meeting as appropriate.

#### X. Continuing Items (Board and committees):

- a) After consideration of an item has been noticed, it may be continued from the agenda in one of the following ways:
  - The Executive Director may continue an item brought forward by staff at any time prior to the Board meeting when he or she has determined it is not yet ready for consideration;
  - The Board may continue any item by consensus at the meeting or by unanimous vote.
- b) An item shall be continued to a specified future meeting.

#### XI. Direction Items (Board and committees):

It is the policy of the Board that agenda items requesting direction from the Board should normally go first to a committee. In which case, the chair of the committee shall provide direction to staff after achieving consensus on the committee. In all cases, it shall be the responsibility of the chair of the

committee to state the consensus and check with members to make sure it is accurate. If there is no consensus on the item, then it shall go to the full Board. The chair of the committee may also forward items to the full Board if the item is significant, controversial, or would benefit from additional discussion at the full Board meeting. If forwarded to the full Board for discussion, the Chair shall provide direction to staff after achieving consensus of the Board. It shall be the responsibility of the Chair to state the consensus and check with members to make sure it is accurate. It is the Chair's responsibility to facilitate the Board discussion until consensus is reached on the direction to take. If no consensus is achieved at the meeting of the Board, the view of the majority shall prevail on direction items.

#### XII. No Action on an Item (Board only):

Where an item fails to receive either four votes to approve or disapprove the requested action, unless a statute or regulation specifies a different result, the item may be placed on a future agenda for consideration in the same manner as any other item may be placed on the agenda.

#### XIII. Revisions to Draft Resolutions (Board only):

Where the Board directs staff to make changes to a draft Resolution, the Board may vote to approve the Resolution with the changes as directed, in which case staff will make those changes administratively and without the need to bring the revised Resolution back before the Board for additional consideration. However, the Board may modify this standard procedure and direct staff to bring the language back before the Board for additional consideration if it deems this necessary.

#### XIV. Reconsideration:

An item that has already been approved or disapproved by the Board may be reconsidered under the following circumstances:

- The motion to reconsider must be made by a member of the Board who voted with the prevailing side on the matter and the action resulting from the vote on the previously approved item has not been carried out yet.
- The motion shall be based upon the need to reconsider the item due to new information that has been received or changed circumstances.
- If the motion does not occur immediately after the original vote (while the stakeholders are present), it must be separately noticed as a Reconsideration Agenda Item so that interested parties are aware that the matter may be reconsidered.
- If a member of the Board decides outside of a Board meeting that he or she wishes to have an item reconsidered due to new information that has been received or changed circumstances, he or she shall request that the item be put on the next Board meeting agenda for reconsideration.
- When the item is first called, the Board shall first vote on whether or not to reconsider the matter before it can vote again on the underlying item. However, a presentation on the new information that has been received or the changed circumstances may be made prior to the vote on whether or not to reconsider the item, if that is necessary to make an informed decision.

#### XV. Public Comment:

- a) Each agenda shall have a general title to allow for public comment. This portion of the meeting is reserved for comment on items not on the agenda. Under the Bagley-Keene Act, the Board cannot

act on items raised during public comment, but may respond briefly to statements made or questions posed, request clarification, or refer the item to staff.

**Monitoring Method: Board Report**  
**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>ELECTION OF CHAIR AND VICE CHAIR</b>
	Policy Number: <b>GP-6</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision Date: October 16, 2007 December 11, 2007	Resolution No. 2007-215 2007-243

The Board shall elect a Chair and Vice Chair to preside over it, under the following terms and conditions:

- a) The Chair and Vice Chair shall be elected upon a vote of four or more members of the Board voting in approval.
- b) The two members of the Board appointed pursuant to subdivision (a) or (b) of Section 40401 of the California Code shall not serve as Chair, namely the member appointed by the Governor who has private sector experience in the solid waste industry and the member appointed by the Governor who has served as an elected or appointed official of a non-profit environmental protection organization whose principal purpose is to promote recycling and the protection of air and water quality.
- c) The Board shall elect a Vice Chair from among all its members.
- d) During the absence of the Chair, the Vice Chair will preside, and, in the event that both the Chair and Vice Chair are absent, the members present shall select one of their members to act as chair pro tem.
- e) In the event that the office of either the Chair or the Vice Chair becomes vacant, the Board, within 30 days from the date of such vacancy, will select one of its members to fill the office.
- f) The Chair and/or Vice Chair shall be removed upon a vote of four or more Board members voting to remove. Nomination and election of a new Chair and/or Vice Chair shall occur within 30 days from the date of the vote to remove.
- g) If upon the expiration of the Chair's appointed term he or she is reappointed, there shall be another election for Chair (and he or she shall be eligible).

**Monitoring Method: Board Report**  
**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>ROLE OF THE CHAIR</b>
	Policy Number: <b>GP-7</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision Date: December 11, 2007	Resolution No. 2007-243

The Chair of the Board shall assure the integrity of the Board processes and assure Board representation to outside parties:

Specifically:

- a) The Chair shall preside over and facilitate Board meetings.
- b) The Chair shall ensure that the Board behaves consistently within its own rules and policies, and those legitimately imposed on it from outside the organization.
- c) The Chair shall ensure that meeting discussion focuses on those issues which, according to Board policy, belong to the Board Members to decide.
- d) The Chair shall direct the development of the annual work plan.
- e) The Chair shall ensure that the Board's agendas meet the goals of the annual work plan.
- f) Final approval for inclusion in the Board's agenda shall be made by the Chair of the Board, except that any request by a member of the Board to place an item on the agenda shall be granted.
- g) The Chair shall communicate to the Executive Director the wishes of the Board, as expressed through a vote or consensus. If by consensus, it shall be the responsibility of the Chair to state the consensus and check with members to ensure that it is accurate.
- h) The Chair may communicate the Administration's policies to the Executive Director and request follow-up information. At the appropriate time, the Chair shall communicate the nature of those requests to the members of the Board.
- i) The Chair shall ensure that deliberation is fair, open and thorough, but also timely, orderly and kept to the point.
- j) The Chair shall appoint the chairs of committees and committee members in consultation with other members of the Board.
- k) The Chair shall schedule and coordinate the annual process of evaluating the Executive Director and Chief Counsel.
- l) The Chair shall regularly give progress reports on Board activities, such as the annual work plan, Board Member training, and adherence to policies.

- m) Any responsibility of the Board that is not specifically assigned to another member of the Board is the responsibility of the Chair.
- n) The Chair may delegate his or her authority, but remains accountable for its use.

**Monitoring Method: Board Report**

**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>BOARD MEMBER CODE OF CONDUCT</b>
	Policy Number: <b>GP-8</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision Date: December 11, 2007	Resolution No. 2007-243

The Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as members of the Board. Members of the Board must avoid even the appearance of impropriety to ensure and maintain public confidence in the CIWMB.

Specifically:

- a) Members of the Board shall conduct themselves in accordance with all laws.
- b) Members of the Board must abide by the rules contained in California's Political Reform Act, the Government Code, the Public Contract Code, and the Public Resources Code.
- c) Members of the Board shall conduct themselves with civility and respect at all times with one another, with staff, and with members of the public.
- d) Members will be properly prepared for Board deliberations.
- e) Members of the Board shall demonstrate loyalty to the interests of CIWMB. This supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other Boards or staffs. It also supersedes the personal interest of any Board member acting as a consumer of the organization's activities.
- f) Members of the Board shall comply with all provisions regarding incompatible activities CIWMB Administrative Manual Section 15003-01). Namely, they:
  - i. Shall not use the prestige or influence of the state or the appointing authority for his/her private gain or advantage or the private gain or advantage of another.
  - ii. Shall not use his/her employment at CIWMB for private gain or advantage.
  - iii. Shall not solicit business from persons licensed by the CIWMB.
  - iv. Shall not use state time, facilities, property, vehicles, equipment, or supplies for personal business, private gain or advantage.
  - v. Shall devote his/her full time, attention, and efforts to her/her state office or employment during his/her hours of duty.
  - vi. Shall not disclose confidential information available by virtue of state employment for private gain or advantage or provide confidential information to persons to whom issuance has not been authorized.
  - vii. Shall not request or accept money, or other consideration, from anyone other than the state for the performance of his/her duties as a state employee.

- viii. Shall not engage in a private practice where the employee represents or consults clients in any matter or venture subject to the regulation of CIWMB, or represents any licensee in any matter before the CIWMB.
  - ix. Shall not receive or accept, directly or indirectly, any gift, including money, or any service, gratuity, favor, entertainment, hospitality, loan, or any other thing of value from anyone who is doing or seeking to do business of any kind with CIWMB, or whose activities are regulated or controlled by the CIWMB, under circumstances from which it could reasonably be substantiated that the gift was intended to influence the officer or employee in his or her official duties, or was intended as a reward for any official action performed by the officer or employee.
  - x. Shall not perform any act in other than his/her capacity as a state officer or employee knowing that the act may later be subject, directly or indirectly to the control, inspection, review, audit, or enforcement by the officer or employee.
- g) Members of the Board occupying positions designated in the CIWMB's Conflict of Interest Code are required to file a Statement of Economic Interests. This document lists economic interests that could potentially create a conflict of interest.
- h) Members of the Board shall abide by the specific limits on accepting gifts set forth in the Political Reform Act.
- i) Members of the Board shall abide by the provisions of the free transportation ban, which prohibits transportation companies from providing free passes or discounts to state office holders.
- j) Members of the Board are required to make written disclosure of any ex parte communication, meaning a written or oral communication between himself or herself and a member of the public in which the communication:
- i) Is not made on the record at a Board or committee meeting;
  - ii) Concerns a matter under the Board's jurisdiction;
  - iii) Is subject to a roll-call vote at a Board or committee meeting;
  - iv) Is scheduled on the next or an upcoming Board or committee agenda, or pertains to a matter which the Board member knows will be scheduled on an upcoming agenda; and
  - v) Is made by a person or persons who intent to influence the vote of a Board member.
  - vi) Where a written communication is made to one Board member, with photocopies to other Board members, it will be sufficient to comply with the law if one Board member discloses the communication on behalf of all the recipient members.
  - vii) An oral disclosure of an ex parte communication made in a public Board meeting where the proceedings are being transcribed by a court reporter constitutes written disclosure for purposes of compliance.
  - viii) If the person involved in ex parte communication with a Board member discloses the communication in accordance with the law, that disclosure constitutes sufficient disclosure under the law.
- k) Members of the Board may not attempt to exercise individual authority over the organization except as explicitly set forth in these governance policies. Board members must recognize the lack of authority vested in them as individuals in their interactions with the Executive Director or with staff, except where explicitly authorized by the Board.
- l) Any performance evaluations shall be performed in a closed session in accordance with the Bagley-Keene Act and with the Board meeting as a whole.

- m) As required by law, members will respect the confidentiality appropriate to issues regarding personnel, real estate transactions, proprietary matters, and attorney-client privileged communications.

**Monitoring Method: Board Report**

**Frequency: Semi-Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>BOARD COMMITTEE PRINCIPLES</b>
	Policy Number: <b>GP-9</b>
Date of adoption: October 17, 2006	Resolution No. 2006-178
Revision Date: December 11, 2007	Resolution No. 2007-243

The Chair may establish both standing committees and ad hoc committees based on need and input from the Board members.

Standing committees shall assist the Board in its ongoing work and activities and shall be composed of members of the Board only. Ad hoc committees shall be created to address a specific topic of interest to the Board, and may be composed of both members of the Board as well as non-Board members.

Each committee shall include a statement describing the committee's purpose.

Specifically:

- a) All committees will ordinarily assist the Board by gaining education, considering alternatives and implications, and preparing policy alternatives.
- b) Committees may not speak or act for the Board except when formally given such authority for specific and time-limited purposes.
- c) Standing committees may request information or further action from staff, but otherwise cannot exercise authority over staff or interfere with the delegation from the Board to the Executive Director. Because the Executive Director works for the full Board, he or she will not be required to obtain approval of a Board committee before an executive action.
- d) As a general rule, items scheduled for Board action shall first be presented to the appropriate standing committee for review. However, if the Chair believes that an item would be best heard directly by the Board, and the committee chair consents, the matter may be placed on the Board's agenda without prior review by the appropriate committee.
- e) Standing committees shall be composed of three members of the Board. Two committee members constitute a quorum for the transaction of standing committee business. Two votes constitute a majority of the votes needed to effect action by a standing committee.
- f) Every standing committee shall have a legislative appointee. In the event that there is a vacancy for a legislative appointee, the other legislative appointee may sit on more than one standing committee.
- g) Ad hoc committees shall be composed of no more than two members of the Board, but may include any number of non-Board members.
- h) All members of the Board may attend all committee meetings.

- i) All committees may be reviewed by the Board to determine whether they should continue.
- j) This policy applies to any group which is formed by Board action, whether or not it is called a committee. It does not apply to committees formed under the authority of the Executive Director.

**Monitoring Method: Board Report**

**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>ROLE OF COMMITTEE CHAIRS</b>
	Policy Number: <b>GP-10</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision Date: December 11, 2007	Resolution No. 2007-243

The committee chairs shall preside over and facilitate committee meetings.

Specifically:

- a) Committee chairs shall ensure that committee meetings focus on those issues which, according to Board policy, belong to the Board to decide.
- b) Committee chairs shall work in conjunction with the Chair of the Board and the executive director in planning the committee agendas.
- c) Committee chairs shall ensure that discussion is fair, open and thorough, but also timely, orderly, and kept to the point.
- d) Final approval for inclusion in the Board's agenda shall be made by the chair of the committee, except that any request by a member of the Board to place an item on the agenda shall be granted.
- e) Committee chairs shall communicate to the Executive Director the wishes of the committee, as expressed through a vote or consensus. If by consensus, it shall be the responsibility of the committee chair to state the consensus and check with members to ensure that it is accurate.
- f) Committee chairs may request follow-up information on behalf of their respective committees, as they deem appropriate.
- g) Aside from the authority expressed in these policies, committee chairs have no authority to direct the Executive Director or staff.
- h) Committee chairs shall present the committee results to the Board at the Board meeting following the committee meeting, as necessary.
- i) Committee chairs shall review the committee agendas prior to circulation of the public notice of the meeting.

**Monitoring Method: Board Report**

**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>BOARD MEMBER TRAINING AND ORIENTATION</b>
Date of Adoption: October 17, 2006	Policy Number: <b>GP-11</b>
Revision Date: December 11, 2007	Resolution No. 2006-178
	Resolution No. 2007-243

The Board shall ensure that its skills are sufficient to assure excellence in governance.

Specifically:

- a) New members shall receive comprehensive training and orientation in Board governance, policies and procedures.
- b) New members shall receive a comprehensive orientation in the CIWMB's strategic directives, programs, issues, and relevant laws and statutes.
- c) The Chair of the Board and committee chairs shall receive training in the facilitation of meetings. Other members may receive this training at their request.
- d) Within six months of beginning service as a member of the Board, and at least every two years thereafter, members of the Board shall receive training on laws related to ethics, conflict of interest requirements, government transparency, open government, and fair government processes.

**Monitoring Method: Board Report**  
**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>BOARD MEMBER REVIEW OF INTERNAL RECORDS</b>
	Policy Number: <b>GP-12</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision Date: December 11, 2007	Resolution No. 2007-243

Board Members shall have the same access to public records that would be available to any member of the public. In addition, Board members may review any confidential record of the CIWMB at any time, so long as confidentiality requirements are followed.

Specifically:

- a) Board member requests to inspect confidential CIWMB records shall be forwarded to the Executive Director, who will provide the requested files for review on CIWMB premises.
- b) No confidential or original documents shall be taken from CIWMB premises except with the authorization of the Executive Director.
- c) Board members shall follow the same confidentiality requirements applicable to CIWMB employees dealing with such files. CIWMB employee personnel files will not be subject to review by a member of the Board except as permitted by law.

**Monitoring Method: Board Report**  
**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Governance Process</b>	Title: <b>CORE AND KEY VALUES</b>
	Policy Number: <b>GP-13</b>
Adoption Date: October 17, 2006	Resolution No. 2006-178
Revision Date: December 11, 2007	Resolution No. 2007-243

In articulating its values, the Board shall distinguish between “core” values and “key” values. Core values are deemed essential for the success of the CIWMB and for serving the people of California. Key values provide additional value to the public. Key values are subordinate to the core values.

**Monitoring Method: Board Report**  
**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>BOARD-EXECUTIVE DIRECTOR RELATIONSHIP</b>
	Policy Number: <b>BL-1</b>
Date of adoption: October 17, 2006	Resolution No. 2006-178
Revision:	Resolution No.

The Executive Director is the link between the Board and CIWMB management and staff. The Board is responsible for hiring, evaluating and, if necessary, discharging the Executive Director.

All authority delegated by the Board to CIWMB management and staff flows through the Executive Director.

#### 1.1 Responsibilities of the Executive Director

The Executive Director is responsible for the following:

- a) Achieve the results established by the Board within the appropriate and ethical standards of business conduct set by the Board and the state of California.
- b) Plan, organize, direct and administer all activities, programs and functions of the CIWMB.
- c) Respond to direction from the Chair to develop ideas for programs and/or initiatives reflecting the Administration's goals.
- d) Direct the preparation of all reports required to be submitted by the CIWMB to the Governor and Legislature regarding the CIWMB's activities or responsibilities.
- e) Direct the preparation of the CIWMB's annual budget for review by the Chair and submission to Cal/EPA, the Department of Finance and the Legislative Analyst.
- f) Meet and confer with the following people to enhance and refine existing and new mandated CIWMB programs and policies for the state:
  - i. Members of the Board
  - ii. Cal/EPA agency officials
  - iii. Directors and officials of other state, federal, and local agencies
  - iv. Environmental organizations
  - v. Industry members
  - vi. The public and various interest groups with IWM concerns
- g) Direct the implementation of all federal and state statutes and regulations and Board' policies that require action by staff, administer the civil service system (including hiring, evaluating and terminating of all employees except the Chief Counsel), attend meetings of the Board and report on the general affairs of the CIWMB, and keep the Board advised as to the needs of the CIWMB.

- h) Ensure the smooth continuous operation of the CIWMB in the event of the planned or unplanned absence of the Executive Director.
- i) Confer with and advise members of the Board and Assistant and Deputy Directors regarding the preparation and monitoring of proposed legislation related to integrated waste management programs to further the CIWMB's policies, goals and objectives.
- j) Bring to the Board of Director's attention circumstances that affect the policies and goals established by the Board or materially impact the CIWMB.
- k) Perform other responsibilities as may be delegated by the Board either by resolution or through the Executive Director's duty statement.
- l) Create and maintain, through internal and/or external resources, a capacity to conduct evaluations of the CIWMB's programs. This evaluation function will provide independent, objective assurance and consulting services to the Board and the Executive Director designed to improve the organization's operations.
- m) Evaluations may be conducted pursuant to an annual plan or as requested by the Board or the Executive Director. The evaluations shall seek to provide reasonable assurance regarding the achievement of objectives in the following areas:
  - i. Adherence to plans, policies and procedures
  - ii. Compliance with applicable laws and regulations
  - iii. Effectiveness and application of administrative and financial controls
  - iv. Effectiveness and efficiency of operations
  - v. Reliability of data
  - vi. Safeguarding assets
- n) Staff conducting these evaluations shall have unlimited access to all activities, records, property and personnel of the CIWMB.
- o) The Board shall receive the results of all evaluations. All evaluations will be sent to those individuals, be they members of the Board or the Executive Director or other management personnel, who are in positions to see that action is taken on evaluation findings and recommendations.

**Monitoring Method: Board Report**

**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>BOARD-CHIEF COUNSEL RELATIONSHIP</b>
	Policy Number: <b>BL-2</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision Date:	Resolution No.

The Chief Counsel provides legal counsel to the CIWMB and to the Board. The Chief Counsel reports both to the Board and to the Executive Director.

The Board is ultimately responsible for hiring and discharging the Chief Counsel. As a general practice, the Board and the Executive Director shall participate jointly in hiring and discharging the Chief Counsel.

The Board of Director's is responsible for evaluating the Chief Counsel's performance. The Executive Director's input shall be solicited in evaluating the performance of the Chief Counsel.

#### 2.1 Responsibilities of the Chief Counsel

With respect to the Board, the Chief Counsel shall:

- a) Give his or her advice or opinion whenever he or she deems necessary or when required by the Board.
- b) Inform the Board of material legal issues impacting the CIWMB or the Board.
- c) Provide counsel to the Board and individual Board members with regard to conflict-of-interest issues.
- d) Provide counsel to the Board and its individual members with regard to other ethical matters.
- e) Assist the Board and its individual members in complying with applicable statutes and laws.
- f) Coordinate responses to public record requests.
- g) Coordinate activities with the Office of Administrative Law regarding the adoption of new regulations and handle protests of regulations.
- h) When necessary, act independently of the Executive Director.
- i) The Chief Counsel shall not provide legal counsel to members of the Board except in their role as members of the Board.

**Monitoring Method: Board Report; Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>BOARD-ADVISER RELATIONSHIP</b>
	Policy Number: <b>BL-3</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision Date: March 18, 2008	Resolution No. 2008-48

The Governor shall appoint one Advisor for each member of the Board upon the recommendation of the member.

### 3.1 Responsibilities of the Advisors

The Advisors shall:

- a) Work at the direction of their respective member of the Board, performing such functions as are necessary to assure the ability of the member to exercise independent and informed judgment on matters of public policy.
- b) Communicate requests for information from Board Offices to CIWMB, with appropriate notification to the Executive Director and Program Directors.
- c) Handle all other matters that are properly delegated to him or her by the member of the Board.
- d) Comply with the agency's code of conduct; excluding the provisions regarding ex parte communication.
- e) Notwithstanding these activities, the advisers are not empowered to instruct or direct CIWMB management or staff.

**Monitoring Method: Board Report**

**Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>UNITY OF CONTROL</b>
Date of Adoption: October 17, 2006	Policy Number: <b>BL-4</b>
Revision Date: March 18, 2008	Resolution No. 2006-178 Resolution No. 2008-48

#### 4.1 Board Member Decisions, Direction and Communications

Only decisions of the Board acting as a body are binding on the Executive Director and the Chief Counsel. Specifically, in or out of the Board meeting:

- a) In cases where the Board has provided direction on an issue through a vote, such decisions are binding on the Executive Director or Chief Counsel.
- b) In cases where the Board has provided direction on an issue through consensus or other means, the Chair is empowered to communicate the relevant direction to the Executive Director or Chief Counsel. If the Chair communicates the consensus outside a public meeting, the Executive Director or Chief Counsel may request that such direction be confirmed through a formal vote of the Board.
- c) In cases where a committee of the Board provided direction on an issue through consensus or other means, the committee chair is empowered to communicate the relevant direction to the Executive Director or Chief Counsel. If the committee chair communicates the consensus outside a public meeting, the Executive Director or Chief Counsel may request that such direction be confirmed through a formal vote of the committee.
- d) Except where specifically authorized by the Board, decisions or instructions of individual members of the Board are not binding on the Executive Director or Chief Counsel.
- e) In the case of individual members of the Board requesting information or assistance, the Executive Director or Chief Counsel may refuse such requests that require, in their opinion, an inordinate amount of staff time, or funds, or are disruptive.
- f) Individual members of the Board may communicate directly with CIWMB employees or contractors for the purpose of providing or requesting information, suggestions or feedback, with appropriate notification to the Executive Director. However, the Board as a body and individual members of the Board cannot give direction to persons who report directly or indirectly to the Executive Director, with the exception of the Chief Counsel.
- g) The Board as a body will refrain from evaluating, either formally or informally, any staff other than the Executive Director and the Chief Counsel. Individual members will refrain from evaluating any staff. However, they may provide input on the performance of staff members to the Executive Director.
- h) The same limitations that pertain to the Board under this policy shall apply to advisers.

**Monitoring Method: Board Report; Frequency: Annual**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>DELEGATION TO THE EXECUTIVE DIRECTOR</b>
	Policy Number: <b>BL-5</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision:	Resolution No.

### 5.1 Guiding Principles of Delegations

The Board may delegate its authority to the Executive Director. Specifically:

- a) The Board shall identify and define those results or conditions of the CIWMB that are acceptable and not acceptable to the Board and communicate them in the form of policy.
- b) The Board shall develop policies that define the delegation to the Executive Director with regard to the Executive Director's authority to make decisions, execute documents, and enter into or terminate contracts. It is the CIWMB's policy that such activities shall take place in accordance with applicable legal requirements in a fair, competitive and inclusive manner to maximize the benefit to the CIWMB's stakeholders and the citizens of California.
- c) The Board shall also develop policies that define the delegation to the Executive Director with regard to the Executive Director's authority to make other decisions to act expeditiously where the public health, safety and the environment are concerned.
- d) The Executive Director is authorized to establish further policies, make decisions, take actions, establish practices, and develop activities in accordance with the Board of Director's policies and decisions. The Executive Director shall develop an internal procedure to govern how delegations will be exercised and a mechanism for reporting the use of any delegations to the Board and the Public.
- e) The Board may change its delegation to the Executive Director at any time, thereby expanding or limiting the authority of the Executive Director. But as long as any particular delegation is in place, the Board will abide by the Executive Director's decisions in those areas that are delegated to him or her. Note: Those delegations in BL-6 through BL-10 that derive from regulations adopted by the Board (noted with an (r)) include citations to those regulations and may require regulatory revisions in order to limit the authority granted to the Executive Director.

**Monitoring Method: Board Report; Frequency: Annual**

<b>CIWMB BOARD POLICY</b>	
Category: <b>Board-Staff Linkage</b>	Title: <b>DELEGATION WITH RESPECT TO PERMITS AND RELATED DOCUMENTS</b>
	Policy Number: <b>BL-6</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision: May 20, 2008	Resolution No. 2008-68

## 6.1 Permits and Related Documents for Solid Waste Facilities

The Executive Director may:

- a) Approve modified permits in accordance with 27 CCR section 21663(a).(r)
- b) Approve closure and post closure maintenance plans, financial assurance mechanisms and operating liability mechanisms;
- c) Approve requests related to release of funds from approved financial assurance mechanisms for the purpose of undertaking closure, post closure maintenance, and corrective action activities at a solid waste landfill;
- d) Approve implementation of alternatives specified and allowed under the Subtitle D Regulations (including landfill daily cover waivers) with the exception of extension of closure dates for facilities that cannot make the required demonstrations regarding location restrictions;
- e) Authorize LEA Asbestos Containing Waste Programs which meet the requirements of 14 CCR 17897.25; and,
- f) Approve alternative daily cover demonstration projects and final reports.

## 6.2 Emergency Waivers of Standards (14 CCR 17210 et seq.):

The Executive Director shall review all EA waiver approvals and:

- a) May condition, limit, suspend, or terminate an operator's use of a waiver, if it is determined that use of the waiver would cause harm to public health and safety, or the environment;
- b) May condition, limit suspend, or terminate an operator's use of a waiver if it is found that the operator has not utilized reasonably available waste diversion programs as identified in its waiver documentation; and,

- c) Shall report to the Board at a regularly scheduled meeting or in writing prior to the next regularly scheduled meeting, any granting of a waiver, and all determinations made concerning the waiver. (r)

#### 6.3 Stipulated Agreement Orders (14 CCR 17211 et seq.):

The Executive Director shall review all EA approvals; and:

- a) May take actions regarding Stipulated Agreement Orders as set forth in 14 CCR section 17211.9 (r).

#### 6.4 Minor and Major Waste Tire Facility Permits

The Executive Director may approve the issuance of these permits where there is no anticipated controversy and all necessary findings have been made.

**Monitoring Method: Report from Executive Director**

**Frequency: Monthly**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>DELEGATION WITH RESPECT TO ENFORCEMENT AND COMPLIANCE</b>
	Policy Number: <b>BL-7</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision:	Resolution No.

### 7.1 Enforcement and Compliance

The Executive Director may:

- a) Authorize, sign and issue Administrative Notices and Orders, corrective action orders, and other enforcement and compliance administrative actions, such as the deployment of CIWMB staff to conduct investigations and monitoring; and,
- b) Commence and conduct enforcement through litigation, or respond to litigation where the CIWMB is sued, by consultation and/or referral to the Attorney General.

### 7.2 Board as Enforcement Agency

The Executive Director may act as the enforcement agency, as delineated in PRC, Division 30, Parts 4 and 5, and the power to make any approval associated with those duties with the exception of:

- a) Final approval of agreements with local governing bodies required by PRC sections 43212.1 and 43310.1, and
- b) Administration of the hearing panel required by PRC section 44309.

### 7.3 Recycled Content Newsprint Certification (14 CCR 17950 et seq.,-Form 430):

The Executive Director may:

- a) Issue Late fines in accordance with regulations (r);
- b) Assess civil penalties in accordance with regulations (r);
- c) Issue and publish the Compliant and Non-compliant List; and,
- d) Take steps to conduct audits to verify the information provided.

### 7.4 Plastic Trash Bag Recycled Content Certification (14 CCR 17975 et seq.):

The Executive Director may:

- a) Issue and Publish the list of Compliant and Non-compliant Manufacturers and Wholesalers;
- b) Take steps to conduct audits to verify the information provided.

**Monitoring Method: Report from Executive Director; Frequency: Monthly**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>DELEGATION TO THE EXECUTIVE DIRECTOR WITH RESPECT TO CONTRACTS, GRANTS AND LOANS</b>
Date of Adoption: October 17, 2006	Policy Number: <b>BL-8</b>
Revision: May 20, 2008	Resolution No. 2006-178
	Resolution No. 2088-68

#### 8.1 Expenditures From The Budget Line For Consultant And Professional Services From The Operating Expense And Equipment Category In The Governor's Budget

The Executive Director may:

- a) Award and execute all contracts and written change orders or amendments thereto, of \$100,000 or less, where the concepts or allocations therefore have been approved by the Board; and,
- b) Award and execute all contracts and written change orders or amendments thereto, of \$100,000 or less, where such contracts and written change orders or amendments thereto are for the administration of the functions of the CIWMB as identified by the Executive Director or are related to direct legislative mandates as identified by the Board; and,
- c) Award and execute all interagency agreements, agreements with other governmental entities, and written changes orders or amendments thereto, the concepts or allocations therefore have been approved by the Board; and,
- d) Award and execute all interagency agreements, agreements with other governmental entities, and written changes orders or amendments thereto, where such interagency agreements and written change orders or amendments thereto are for the administration of the functions of the Board, as identified by the Executive Director, or are related to direct legislative mandates as identified by the Board.
- e) Award and execute all contracts and written change orders or amendments thereto, for student and court reporting services.

#### 8.2 Expenditures Which Are the Result of Previously Approved External Reimbursable Funding Sources,

The Executive Director may award and execute all contracts, interagency agreements, agreements with other governmental entities, and amendments for expenditures from previously approved external reimbursable funding sources. thereto. Prior concept approval by the Board shall not be required for these external reimbursable expenditures.

#### 8.3 All Other Expenditures from the Operating Expense and Equipment Category in the Governor's Budget,

The Executive Director may award and execute all contracts, interagency agreements and leases, agreements with other governmental entities, written change orders or amendments thereto, and disburse funding for claims related to direct legislative mandates.

#### 8.4 Other Contract Activities:

The Executive Director may:

- a) Prepare, conduct and evaluate all solicitations, bids, requests for proposals for procurement of goods and services, where the concepts/allocations thereof have been approved by the Board consistent with the approvals required above;
- b) Execute contracts and amendments thereto, related to the CIWMB's grant, loan, and loan guarantee programs, following procedures and guidelines that have been approved by the Board.
- c) Confirm fulfillment of contracts for the purposes of concluding the contract and making final payment; where the contract requires a report with policy recommendations, staff will use these recommendations, among other things, in preparing an agenda item to be presented to the Board for consideration.

#### 8.5 Unreliable Contractor List (14 CCR 17050 et seq.):

The Executive Director may make a proposed finding of unreliability to place an entity on the CIWMB's List of Unreliable Contractors which will become final if not appealed in accordance with the procedures set forth in regulations. (r)

#### 8.6 Loans:

The Executive Director may approve loans to be issued under the Landfill Closure Loan Program pursuant to 27 CCR section 23011; and may:

- a. Approve the addition of new RMDZ Loan Committee Members.

**Monitoring Method: Report from Executive Director**

**Frequency: Monthly**

<b>CIWMB BOARD POLICY</b>	
Category: <b>Board-Staff Linkage</b>	Title: <b>DELEGATION TO THE EXECUTIVE DIRECTOR WITH RESPECT TO DIVERSION PLANNING</b>
	Policy Number: <b>BL-9</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision: May 20, 2008	Resolution No. 2008-68

### 9.1 Local Jurisdiction Plan Review and Approval

The Executive Director may:

- a) Approve new base years and waste generation studies that are not controversial;
- b) Approve extensions for newly incorporated cities pursuant to PRC section 41820.6;
- c) Approve NDFE amendments;
- d) Approve 5-year review reports;
- e) Approve Regional agency formation agreements;
- f) Accept staff's Biennial review findings for HHWEs;
- g) Accept staff's Biennial review findings for jurisdictions that have a diversion rate over 50%, and have adequately implemented diversion programs;
- h) Approve a Countywide Siting Element amendment where the amendment is not required by statute and the updated information does not change the location of an existing facility or add a new facility; and,
- i) Approve Planning Elements (SRRE, HHWE, and NDFE) for Newly Incorporated Cities.

### 9.2 State Agency and Large State Facility Integrated Waste Management Plans (AB 75):

The Executive Director may:

- a) Approve those State Agency and Large State Facility Integrated Waste Management Plans (IWMP) not specifically requested to be considered at a regularly scheduled Board meeting. The Board is to receive reasonable notice which plans the Executive Director will approve and will notify the Executive Director which IWMPs it would like to consider at a regularly scheduled Board meeting; and,
- b) Approve those State Agency and Large State Facility Integrated Waste Management Annual Reports not specifically requested to be considered at a regularly scheduled Board meeting. The Board is to receive reasonable notice which annual reports the Executive Director will approve and will notify the Executive Director which annual reports it would like to consider at a regularly scheduled Board meeting.

**Monitoring Method: Report from Executive Director; Frequency: Monthly**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>DELEGATION TO THE EXECUTIVE DIRECTOR WITH RESPECT TO OTHER RESPONSIBILITIES</b>
Date of Adoption: October 17, 2006	Policy Number: <b>BL-10</b>
Revision: May 20, 2008	Resolution No. 2006-178
	Resolution No. 2008-68

#### 10.1 Regulations:

The Executive Director may:

- a) Conduct the development of regulatory language, the drafting and release of Notices and other activities undertaken in compliance with the procedural requirements of the California Administrative Procedure Act for submission of rulemaking files to the Office of Administrative Law, in accordance with procedures adopted by the Board, and may:
- b) Conduct the required 45-day public hearing for regulations where the Board has not directed that it wants the hearing to occur at a Committee or Board meeting.

#### 10.2 Used Oil Program:

The Executive Director may:

- a) Disburse funding to local governments as block grants for the implementation of local used oil and filter collection programs pursuant to PRC 48653.
- b) Resolve grant application-related deadline disputes at his/her discretion, with the following guidance:
  - 1) It is the Board of Director's intent that the Executive Director strictly enforce the application deadline policy as set forth in the Board's December 2002 Resolution number 2002-773.
  - 2) It is also the Board's intent that future Used Oil Block Grant applicants, who file a timely, but incomplete application, be allowed a "grace" period designated by staff to correct any deficiencies or omissions in their applications; and,
- c) Accept Used Oil Incentive Claim/Reports submitted after the 45<sup>th</sup> day, and to reduce, eliminate, or approve the amount of incentive fee paid due to late submission of the claim.

#### 10.3 Emergency Actions

The Executive Director may, with the approval of the Chair, take all necessary actions to respond to a declared state of emergency, including but not limited to, awarding and executing contracts or

interagency agreements, approving use of Board funds or resources for actions that they are normally used for, and entering into Memoranda of Understanding. The Executive Director shall notify all Board Members of these actions in advance, to the extent practicable.

**Monitoring Method: Report from Executive Director**

**Frequency: Monthly**

CIWMB BOARD POLICY	
Category: <b>Board-Staff Linkage</b>	Title: <b>EVALUATING THE EXECUTIVE DIRECTOR'S PERFORMANCE</b>
	Policy Number: <b>BL-11</b>
Date of Adoption: October 17, 2006	Resolution No. 2006-178
Revision Date:	Resolution No.

### 11.1 Board Evaluation of Executive Director

The Executive Director's job performance shall be evaluated by comparing the organization's results, operations and the Executive Director's personal performance to the policies and strategic directives established by the Board. Specifically:

- a) The Board shall evaluate the Executive Director's performance on an annual basis.
- b) The evaluation will be primarily based on an evaluation of the organization's performance against the results established by the Board in its strategic directive policies, as well as based on the Executive Director's personal performance.
- c) With regard to strategic directives for which there are not clear performance measures, the Executive Director shall propose performance criteria that represent his or her reasonable interpretation of achieving the results defined by the Board.
- d) The Board will use data to determine the degree to which its policies are being met.
- e) The Chair has the responsibility and authority to collect and assemble data needed to perform the evaluation of the Executive Director.
- f) All policies that instruct the Executive Director shall be monitored at a frequency and by a method chosen by the Board. The Board can monitor a policy at any time by any method, but ordinarily will depend on a schedule developed by the Board.

**Monitoring Method: Board Report**  
**Frequency: Annual**